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THE

INTERIM

A REPORT OF INTERIM ACTIVITY . . . MONTANA LEGISLATIVE COUNCIL . . . HELENA

NOVEMBER 1979

VOL. 11, NO. 6

LEGISLATIVE COUNCIL

SPECIAL NOTE ON LEGISLATIVE PUBLICATIONS

DEPARTMENT HEADS -- PLEASE NOTE

The Legislative Council staff receives numerous telephone calls daily from state employees concerning legislative publications. Department directors and others reading this should pass on the information below.

SESSION LAWS

The Session Laws consisting of three volumes were distributed in August in accordance with section 5-11-203(3), MCA. That section provides only one free copy to each state department and elected official (including legislators).

In past years apparently many divisions, bureaus, etc., within departments have ordered Session Laws and received them at no cost. Now, however, Session Laws, in addition to the free copy, must be specifically ordered from the Council. Cost \$60 per set. Telephone 449-3064 and ask for Jean Dayton.

COMBINED FINAL STATUS

This free publication with a comprehensive index lists every bill introduced in the 1979 session, gives a short summary of bill titles, and shows bill status at the close of session business. Copies may be obtained in Room 138, State Capitol.

HOUSE AND SENATE JOURNALS

The Journals are also available from the Council for \$60 a set.

MONTANA CODE

Unfortunately the latest word from the printer is that the entire code will not be ready until early December. (Six out of fifteen volumes have been delivered to date.) The price is \$120 a set to private subscribers and \$100 to state and local governments. There are no free sets provided.

MICROFICHE
CODES

A microfiche version of the code, as amended by the 1979 Legislature, has been available from the Council since August. Cost is \$6.50.

INTERIM COMMITTEES

ANNEXATION
LAWS

The Study Committee on Annexation met for the second time on Friday, October 26, to gain background knowledge of Montana's annexation statutes and their legislative and judicial history. The members also compared Montana's laws with those of other western states. After listening to representatives of the cities, rural tire districts, and others relate problems with the annexation process, the Committee advanced several proposals, for discussion purposes only, which would attempt to alleviate some of those problems. At a meeting in Billings, tentatively set for January 11, and at future working meetings in Missoula, the Committee will discuss these proposals further and receive public comment on them as well as on other problems and possible solutions.

COMMITTEE ON
CORRECTIONS
POLICY AND
FACILITY
NEEDS

The Committee on Corrections Policy and Facility Needs met in Helena October 11 and 12. The Committee visited two juvenile shelter care homes and toured Mountain View School. The Department of Institutions gave the Committee a progress report on prison alternatives that included options for a half-way house in Billings, use of the Family Training Center in Glasgow, creation of a forensic unit at Warm Springs, the expansion of the Swan River facility, increased use of parole, a contract with the Swift Bird Indian program in South Dakota, and expansion of the Life Skills Training Center in Missoula as a pre-release program. The Committee heard presentations on sentencing from parole, judicial, prosecution, administrative perspectives. The Committee members are submitting individual bill drafting requests to Committee staff in the area of determinate sentencing revisions, which will be considered by the full Committee at its next meeting on December 14. The Committee will also review a progress report on prison expansion programs and long-term prison facility needs and program needs at this meeting.

BRANCHING OF
FINANCIAL
INSTITUTIONS

The next meeting of the Committee studying branching of financial institutions has been set for December 8. The Committee will hear from representatives of the industry and other interested persons concerning their views. An extensive mailing list has been developed and will be expanded upon as best.

LOCAL
GOVERNMENT
MANDATES

The Committee on State Mandates and the Effects of State-owned Property on Local Governments held a public hearing in Helena on October 27 to learn more about the nature of the problems and their effect on local government resources. Local and state government officials and interested people testified on these problems. The Committee voted to submit a proposal to the NSL's State/Local Finance Project for funding and technical assistance to focus on the area of state compensation to local governments for state-owned property. The Committee has scheduled meetings for January 12, April 12, and June 12. At the January meeting the Committee will identify those issues it finds most in need of further attention.

RETIREMENT
SYSTEMS

A meeting of the Committee studying retirement systems has been tentatively set for early January. The Legislative Auditor's staff will present the Committee with information disclosed in a recently released audit of the two major systems under study (PEKS and Teachers'). Retirement system officials will also present information. Watch for notice when a specific date is set.

CONTAINERS

The Interim Study Committee on Containers met for the third time in Helena on November 3 to discuss the committee's draft final report. The committee's fourth and final meeting will be held in Helena on December 1. The final report will be issued to the public prior to January 1, 1960.

INDIAN
AFFAIRS

The Select Committee on Indian Affairs held its third meeting in Billings on October 12. The Committee heard testimony from the Montana Inter-Tribal Policy Board, County Commissioners, and the Department of Fish, Wildlife, and Parks. At the meeting, the Committee decided to concentrate its efforts for the next several meetings on issues of cross-deputization and extradition. The next meeting of the Committee is tentatively scheduled for January, 1960.

LEGISLATIVE
IMPROVEMENT
COMMITTEE
MET OCTOBER 25

The Legislative Improvement Committee met for the first time on October 25 and elected Senator Carroll Graham Chairman and Representative Robert Sivertsen Vice-Chairman.

The Committee requested the Council staff to further study the following:

- (1) the 8-committee structure considered by the House last session;
- (2) a five-day rather than six-day legislative week;
- (3) elimination of Joint Resolutions that express only "desire, opinion, sympathy, or request" of the legislature;
- (4) prefiling of bills by agencies; and
- (5) changing the effective date of bills from July 1 to January 1.

The Committee voted to:

- (1) not allow work by legislators or staff on the two state holidays occurring during the session in order to avoid the excessive cost of over-time pay;
- (2) draft legislation to provide that the Secretary of the Senate and Chief Clerk of the House be appointed rather than elected;
- (3) recommend, for the 1981 session only, limiting to five the number of bills a legislator may request or introduce -- the five-bill limit not to include:
 - (a) interim committee bills;
 - (b) bills requested by state agencies; and
 - (c) prefiled bills.
- (4) require state agency bill requests to be signed by the elected official in charge of the requesting agency.

The next meeting of the Committee will be in February, 1980.

REVENUE OVERSIGHT COMMITTEE

COMMITTEE
TO MEET
NOVEMBER 17

At a November 17 meeting, the Committee will review numerous administrative rules proposed by the Department of Revenue to implement the changes made by the 1979 legislature in inheritance tax laws, treatment of abandoned property, and taxation of financial institutions. The Committee will also receive reports on pending legal cases involving the Department, including Burlington Northern's challenge of Montana's property tax law and the large number of cases concerning the assessment of commercial real estate.

The Committee will again discuss Montana's green-belt law, concentrating on the provisions and effectiveness of similar laws in other states. Continuing its study of Montana's alcoholic beverages licensing system, the Committee will discuss background information on the nature of licensing and other states' license quota systems.

COAL TAX OVERSIGHT SUBCOMMITTEE

SUBCOMMITTEE
TO MEET
NOVEMBER 16

The Coal Tax Oversight Subcommittee will meet Friday, November 16, to discuss two programs funded by the coal severance tax -- the Alternative Energy Program and the Renewable Resources Program. DARC staff will report on its progress in and plans for these programs. The Subcommittee will also discuss the purpose of the Resource Indemnity Trust fund and possible ways in which the interest from the fund could be spent to achieve this purpose.

The Subcommittee will review pending federal legislation that concerns Montana's coal resources.

CAPITOL BUILDING AND PLANNING

MEETING HELD
OCTOBER 17

The Capitol Building and Planning Committee held its first meeting October 17. Senator Jack Healy was elected Chairman, and Representative Bobby Spriker, Vice-Chairman. The Committee discussed long-range plans for the Capitol area and the difficulty that will be experienced during the next session regarding hearing rooms. The Committee recommended the sale of the Synagogue building that formerly contained SRS offices. The Committee recommended to the Department of Administration that it attempt to have the triangular piece of land at the corner of Broadway and Montana rezoned by the City of Helena. Then

the Committee will discuss possible sale of the property. The next meeting is planned for sometime in January.

ENVIRONMENTAL QUALITY COUNCIL

MEETING HELD
SEPTEMBER 26

The Environmental Quality Council met on September 26. Several progress reports on legislative studies were presented. Council members also discussed the used oil program, environmental impact brochures, the bottle bill, uranium exploration, oversight functions, MEPA rules, permit decisions, and grant proposals.

The Environmental Quality Council staff gave presentations at the Montana Association of Rural Electrification meeting in Miles City on October 3. Staff research on House Joint Resolutions 21, 51, and 60 is continuing and progressing.

The next Council meeting will be held November 7 and 8 in Malta and Glasgow. The Council will hold public meetings and tour several facilities in the area at that time.

LEGISLATIVE INTERIM CALENDAR

MONTH NOVEMBER

SUNDAY

MONDAY



TUESDAY

WEDNESDAY

THURSDAY

FRIDAY

SATURDAY

				1	2	3
					ENERGY FORECASTING Rm. 104 10 a.m.	ENERGY FORECASTING Rm. 104 - 10 a.m.
4	5	6 WATER RESOURCE & ADJUDICATION Rm. 139 9:30 a.m.	7	8	9 CONSUMER COUNSEL 10:30 a.m. Rm. 104	10 CONTAINER DEFENSIVE Rm. 139 -
11	12	13	14	15	16 COAL TAX OVERSIGHT Rm. 104 10 a.m.	17 PETROLE OVERSIGHT Rm. 104 - 9:30 a.m. LEGISLATIVE COUNCIL Rm. 139 - 10:00 a.m.
18	19	20	21	22 	23	24
25	26	27	28	29 	30	

LEGISLATIVE INTERIM CALENDAR

MARCH
DECEMBER

1. *Introduction*

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THURSDAY

VIII

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1	CONTAINER DEPOSITS Rm. 139							
2	7 LEGISLATIVE FINANCE Rm. 104 8:00 a.m.	6	5	4	3	2	1	
3	8 LEGISLATIVE FINANCE Rm. 104 8 a.m. - 1 p.m.							
4	14 CORRECTIONS POLICY & FACILITY NEEDS Rm. 139	13	12	11	10	9	8	
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